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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 vs.
9

10 JORDAN HIGGINS
11 (aka Jordan Moore),

12 Defendant.
13

Case No: CR 11-00905 SBA

**ORDER ACCEPTING REPORT
AND RECOMMENDATION
REGARDING GUILTY PLEA**

14 On June 15, 2015, the Court granted the parties' stipulation to refer this matter to
15 Magistrate Judge Kandis Westmore ("the magistrate") for entry of a guilty plea. Dkt. 158.
16 On June 17, 2015, the Defendant appeared before the magistrate, and, with the assistance of
17 counsel, waived his right to enter a guilty plea before a district judge and instead consented
18 to enter his plea in a hearing before the magistrate. Dkt. 160. The magistrate conducted a
19 full hearing in the manner set forth in Federal Rule of Criminal Procedure 11. Id. After
20 receiving the advisements set forth in Rule 11, the Defendant entered a guilty plea in open
21 court. Specifically, the Defendant pled guilty pursuant to a written plea agreement to
22 Counts One, Two, Three and Four of the Superseding Information, charging Defendant
23 with one count of Conspiracy to Interfere with Commerce by Robbery and Extortion, in
24 violation of 18 U.S.C. §1951(a) and three counts of Armed Bank Robbery and Aiding and
25 Abetting, in violation of 18 U.S.C §§2113(a) & (d). Id. The magistrate found that
26 Defendant was fully competent and capable of entering an informed plea, that he was aware
27 of the nature of the charge and the consequences of the guilty plea, and that the guilty plea
28 was knowing and voluntary and supported by an independent factual basis. Id.

1 On July 27, 2015, the magistrate issued a Report and Recommendation Regarding
2 Guilty Plea in which she recommends that this Court accept Defendant's guilty plea. Dkt.
3 169. The Report and Recommendation advises the parties that they may serve and file
4 specific written objections to the order within fourteen days after being served with a copy
5 of the order. Id. No written objection to the Report and Recommendation was filed prior
6 to the hearing. At the December 9, 2015, sentencing hearing in this matter, the parties
7 indicated that they have no objection to the Report and Recommendation. Accordingly,

8 IT IS HEREBY ORDERED THAT the magistrate's Report and Recommendation
9 (Dkt. 169) is ACCEPTED, the Defendant's guilty plea is accepted, and the magistrate's
10 Report and Recommendation shall become the order of this Court.

11 IT IS SO ORDERED.

12 Dated: 12/9/15


SAUNDRA BROWN ARMSTRONG
Senior United States District Judge